

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF GEORGIA
STATESBORO DIVISION

UNITED STATES OF AMERICA

*

v.

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CR 618-014-17

MICHAEL SHANE BISHOP

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O R D E R

Pending before the Court is Defendant Michael Shane Bishop's motion to obtain court documents. (Doc. 581.) Defendant requests a copy of the docket sheet, his plea agreements, the indictment, the judgment, and a transcript of his sentencing hearing so he may prepare a collateral attack on his conviction.

The Eleventh Circuit has held that a defendant does not have a right to a free transcript or other court documents unless the transcript is necessary to decide an issue presented in another suit or appeal:

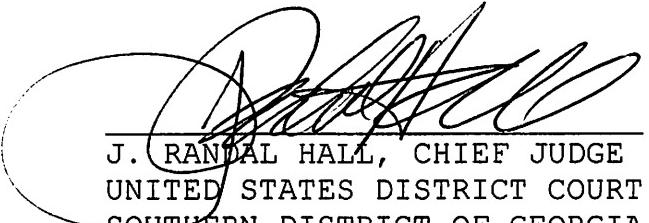
We hold that a request by a prisoner for access to the court files of his underlying criminal conviction is premature prior to the filing of a collateral attack on that conviction; a prisoner is entitled to access to the court files only after he has made a showing that such files are necessary to the resolution of an issue or issues he has presented in a non-frivolous pending collateral proceeding.

Hansen v. United States, 956 F.2d 245, 248 (11th Cir. 1992); see also Walker v. United States, 424 F.2d 278, 279 (5th Cir. 1970)

("A federal prisoner is not entitled to obtain copies of court records at Government expense for the purpose of searching the record for possible error.").

As stated in his motion and as visible from the record, Defendant does not have an appeal or collateral attack pending, making his motion premature. Therefore, Defendant's motion (doc. 581) is **DENIED**. As a courtesy, the Clerk is directed to include a copy of the docket sheet pertaining only to this Defendant with the service copy of this Order.¹

ORDER ENTERED at Augusta, Georgia, this 21st day of January, 2020.



J. RANDAL HALL, CHIEF JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA

¹ Defendant may make arrangements with the court reporter and clerk to pay for copies of the other requested documents and transcript.